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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/762,148	01/22/2004	Wen I Augustee Lee	USP2296A-WIA	4183

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EXAMINER

BELLINGER, JASON R

ART UNIT	PAPER NUMBER
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3617

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/762,148

Applicant(s)

AUGUSTEE LEE, WEN I

Examiner

Jason R Bellinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 4-7 and 15-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 8-14 and 19-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Election/Restrictions

1. Applicant's election without traverse of species IV, drawn to Figures 5A-5B and 6A-6C in the reply filed on 14 April 2005 is acknowledged. Upon further consideration, Figures 6A-6C are considered to be drawn to subspecies having the same inventive concept as the invention shown in Figures 5A-5B.
2. Claims 4-7 and 15-18 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 14 April 2005.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the safety rim having a width "gradually reducing" from the outer circumferential wall of the wheel body to the running surface, as set forth in claims 10-11 and 21-22, must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet,

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and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: 80. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The specification, claims, and abstract are replete with grammatical errors, possibly due to a literal translation of a foreign document. A substitute specification, including the abstract and claims, in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

6. The disclosure is objected to because of the following informalities: In line 13 of page 2, the term "broking" should be replaced with the term --braking--. In line 1 of page 9, the phrase "Fig. 4" should be replaced with the term --Fig. 5B--. In line 3 of page 9, the term "shaped" should be replaced with the term --shape--. These corrections are for grammatical clarity, and to correct minor spelling errors, and to correspond to the drawings.

Appropriate correction is required.

Claim Objections

7. Claims 1-3, 8-14, 19-22 are objected to because of the following informalities: The phrase "vehicle rim" should be replaced with the phrase --wheel rim-- in line 1 of claims 1-3 and 8-11. This correction is due to the fact that a rim is an element of a wheel and not a vehicle.

The phrase "rim body" should be replaced with the phrase --wheel body-- in line 2 of claims 1 and 12, due to the fact that a rim body for a wheel is a separate element

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from the hub of a wheel. The phrase "tire locking frame" should be replaced with either the phrase --tire locking rim-- or the term --rim-- in lines 3-4 and 12 of claim 1, to more accurately describe the invention. The phrase "rim body" should be replaced with the phrase --wheel body-- or the term --rim-- in lines 7 and 11 of claim 1, due to the fact that a tire is mounted on the rim of a wheel. The term "wheel" should be removed from the phrase "wheel tire" in lines 7-8, 13, and 15 of claim 1, due to the fact that a tire is a separate independent element that is only mounted on a wheel. The phrase "rim body" should be replaced with the phrase --wheel body-- in line 14 of claim 1, due to the fact that the entire wheel runs on the road surface. The term --on-- should be inserted between the terms "running" and "said" in line 14 of claim 1, for grammatical clarity. The phrase "is popped out from" should be replaced with the phrase --is popped off of-- or the phrase --loses air pressure and deflates onto-- in lines 15 of claim 1 to more clearly define the invention.

The term "wheel" should be removed from the phrase "wheel tire" in line 4 of claims 2 and 13, due to the fact that a tire is a separate independent element that is only mounted on a wheel.

The phrase "vehicle rim" should be replaced with the phrase --wheel rim-- or the term --wheel-- in line 2 of claims 3 and 14, due to the fact that a rim is an element of a wheel and not a vehicle. The term "wheel" should be removed from the phrase "wheel tire" in line 3 of claims 3 and 14, due to the fact that a tire is a separate independent element that is only mounted on a wheel. The phrase "is popped out from" should be replaced with the phrase --is popped off of-- or the phrase --loses air pressure and

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deflates onto-- in line 3 of claims 3 and 14, to more clearly define the invention. The phrase "rim body" should be replaced with the phrase --wheel body-- or the term --rim-- in line 3 of claims 3 and 14, for clarity.

The phrase "rim body" should be replaced with the phrase --wheel body-- or the term --rim-- in line 3 of claims 8-9 and 19-20. The term "as" should be removed from line 3 of claims 8-9 and 19-20. These corrections are for clarity and to more clearly describe the invention.

The phrase "rim body" should be replaced with the phrase --wheel body-- or the term --rim-- in line 2 of claims 10-11 and 21-22 for clarity.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

9. Claims 8-11 and 19-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 8-9 and 19-20 are indefinite due to the fact that it is unclear what is being claimed by the phrase "having a ring shaped" in lines 1-2 of the aforementioned claims. It is unclear whether an attribute, element, etc. of the safety rim is "ring shaped".

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Claims 10-11 and 21-22 are indefinite due to the fact that it is unclear what is actually being claimed. It is unclear how the "width" of the safety rim "is gradually reducing" from the outer wall of the rim to the running surface.

Claim Rejections - 35 USC § 102

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

11. Claims 1-3, 8-9, 12-14, and 19-20 are rejected under 35 U.S.C. 102(b) as being anticipated by French. As best understood, French shows a wheel having a hub 14 adapted for rotatably connecting to a vehicle, and a tire-locking rim 13 having a U-shaped cross section that is coaxially mounted with the hub 14. The rim 13 includes an outer circumferential wall 16, and two locking flanges 17 that extend radially from two side edges of the outer circumferential wall 16. These flanges 17 substantially interlock with beads 18 of a tire 19 in such a manner that the rim 13 coaxially and securely mounts the tire 19 onto the wheel under a safety pressure so that the tread of the tire 19 supports the wheel for running on a road surface.

A safety rim 10 includes a running surface 22. The safety rim 10 is radially and outwardly extended from the rim 13. The circumference of the safety rim 10 is larger than that of each locking flange 17 of the rim 13, and is smaller than the circumference of the tread of the tire 19. The safety rim 10 supports the wheel for running on the road

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surface when the tire 19 is "popped off of" the rim 13 (as best understood, the safety rim 10 supports the tire 19 on the wheel for run-flat running in the event of loss of air pressure in the tire).

The safety rim 10 is coaxially positioned between the top edge of each locking flange 17 and the tread of the tire 19. The safety rim 10 also includes a rounded running surface 22 for supporting the wheel on the road surface and/or a deflated tire 19 in the event of a run-flat condition. The inner circumferential surface 21 of the safety rim 10 is securely attached to the outer circumferential wall 16 of the rim 13. The outer circumferential surface of the safety rim 10 forms the running surface 22.

12. Claims 1-3, 8-14, and 19-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Glinz et al ('976 B1). As best understood, Glinz et al shows a wheel that inherently includes a hub portion that is adapted for rotatably connecting to a vehicle, and a tire-locking rim 8 having a U-shaped cross section that is coaxially mounted with the hub portion. The rim 8 includes an outer circumferential wall, and two locking flanges that extend radially from two side edges 14 of the outer circumferential wall. These flanges substantially interlock with beads (12 & 17) of a tire 18 in such a manner that the rim 8 coaxially and securely mounts the tire 18 onto the wheel under a safety pressure so that the tread of the tire 18 supports the wheel for running on a road surface.

A safety rim 19 includes a running surface 22. The safety rim 19 is radially and outwardly extended from the rim 8. The circumference of the safety rim 19 is larger than

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that of each locking flange of the rim 8, and is smaller than the circumference of the tread of the tire 18. The safety rim 19 supports the wheel for running on the road surface when the tire 18 is "popped off of" the rim 8 (as best understood, the safety rim 19 supports the tire 18 on the wheel for run-flat running in the event of loss of air pressure in the tire).

The safety rim 19 is coaxially positioned between the top edge of each locking flange and the tread of the tire 18. The safety rim 19 also includes a rounded running surface 22 for supporting the wheel on the road surface and/or a deflated tire 18 in the event of a run-flat condition. The inner circumferential surface (generally at 25-26) of the safety rim 19 is securely attached to the outer circumferential wall of the rim 8. The outer circumferential surface of the safety rim 19 forms the running surface 22. The width of the safety rim 19 gradually reduces from the outer circumferential wall of the rim 8 to the running surface 22.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The references are considered to show run-flat wheel assemblies including a safety rim that supports the tire on the wheel in the event of loss of pressure. For example, Hellweg et al shows a wheel of the type described above.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason R Bellinger whose telephone number is 703-308-6298. The examiner can normally be reached on Mon - Thurs (9:00-4:30).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Morano can be reached on 703-308-0230. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason R Bellinger
Examiner
Art Unit 3617

JASON R. BELLINGER
PATENT EXAMINER

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